PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

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CARPMAELS & RANSFORD Attn. Tunstall, C.S. 43-45 Bloomsbury Square London WC1A 2RA UNITED KINGDOM CARPMAELS & RANSFORD ACTIONED......

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing (day/month/year) 30/05/2006 Applicant's or agent's file reference FOR FURTHER ACTION P040402WO See paragraphs 1 and 4 below International application No. International filing date (day/month/year) PCT/GB2006/001031 21/03/2006 Applicant CILAG AG INTERNATIONAL

The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the International Search Report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 338.82.70

For more detailed instructions, see the notes on the accompanying sheet.

- The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
- With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
 - the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices. no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the PCT Applicant's Guide, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority

European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl. Fax: (+31-70) 340-3016

Authorized officer

Elisabeth Reinecke

Form PCT/ISA/220 (October 2005)

(See notes on accompanying sheet)

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims,description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume I/A, paragraph 296).

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER		see Form PCT/ISA/220		
P040402WO	ACTION				
International application No.	International filing date (day/mon	h/year)	(Earliest) Priority Date (day/month/year)		
PCT/GB2006/001031	21/03/2006		06/04/2005		
Applicant		_			
CILAG AG INTERNATIONAL			.,,		
This international search report has been according to Article 18. A copy is being tra This international search report consists o	insmitted to the International Burea	u.	ority and is transmitted to the applicant		
I	a copy of each prior art document		report.		
a translation of the of a translation function of a translation function is laced. 2. X Certain claims were found. 3. Unity of invention is laced. 4. With regard to the title, X the text is approved as successions.	application in the language in which e international application into mished for the purposes of internat otide and/or amino acid sequenc and unsearchable (See Box No. II) king (see Box No III)	it was filed ional search e disclosed	, which is the language		
5. With regard to the abstract, the text is approved as su the text has been establis may, within one month fro 6. With regard to the drawings,	hed, according to Rule 38.2(b), by	this Authori ational seam	ty as it appears in Box No. IV. The applicant ch report, submit comments to this Authority		
a. the figure of the drawings to be p	published with the abstract is Figure	No. <u>1</u>			
x as suggested by	• •				
	s Authority, because the applicant	•			
	s Authority, because this figure bet e published with the abstract	ter characte	erizes the invention		

Form PCT/ISA/210 (first sheet) (April 2005)

International application No.

INTERNATIONAL SEARCH REPORT

PCT/GB2006/001031

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

An injection device (110) comprises a housing (112) adapted to receive a syringe (116) having a discharge nozzle (118) and a dispensing piston (114) movable in the syringe to expel the contents of the syringe through the discharge nozzle. There is also a drive (130) adapted to act on the syringe to advance it from a retracted position in which the discharge nozzle is contained within the housing to an extended position in which the discharge nozzle extends from the housing. A drive coupling (134) extends from the drive to the dispensing piston of the syringe so as to transfer movement of the drive to the piston. The drive coupling comprises a fixed-length drive coupling and an interchangeable drive coupling. There is also a method of manufacturing an injection device by assembling a first sub-assembly (210) and second sub-assembly (220).

INTERNATIONAL SEARCH REPORT

International application No PCT/GB2006/001031

A. CLASSIFICATION OF SUBJECT MATTER INV. A61M5/145 According to International Patent Classification (IPC) or to both national classification and IPC B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) A61M Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) EPO-Internal C. DOCUMENTS CONSIDERED TO BE RELEVANT Category* Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. X √WO 02/056947 A (MEDRAD, INC; DEDIG, JAMES, 1-5, ALBERT; LAZZARO, FRANK, A; COWAN, KEVIN, 10 - 13P;) 25 July 2002 (2002-07-25) abstract; figure 7 χ US 5 520 653 A (REILLY ET AL) 1.10 28 May 1996 (1996-05-28) abstract; figures EP 0 482 677 A (MALLINCKRODT MEDICAL, INC; Α 1,10 MALLINCKRODT, INC) 29 April 1992 (1992-04-29) abstract; figures EP 1 518 575 A (MATSUSHITA ELECTRIC Α 1,10 INDUSTRIAL CO., LTD) 30 March 2005 (2005-03-30) abstract; figures 2,3 -/--Further documents are listed in the continuation of Box C. See patent family annex. Special categories of cited documents: "T" later document published after the international filing date or priority date and not in conflict with the application but *A* document defining the general state of the art which is not considered to be of particular relevance cited to understand the principle or theory underlying the invention "E" earlier document but published on or after the international "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to filing date "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention citation or other special reason (as specified) cannot be considered to involve an inventive step when the document is combined with one or more other such docu-"O" document referring to an oral disclosure, use, exhibition or ments, such combination being obvious to a person skilled document published prior to the international filing date but later than the priority date claimed "&" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 18 May 2006 30/05/2006 Name and mailing address of the ISA/ Authorized officer European Patent Office, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31–70) 340–2040, Tx. 31 651 epo nl, Ehrsam, F Fax: (+31-70) 340-3016

3

INTERNATIONAL SEARCH REPORT

International application No PCT/GB2006/001031

C(Continuation). DOCU	MENTS CONSIDERED TO BE RELEVANT	1017 0020007 001031
Category* Citation of doc	curnent, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P,X GB 2 30 No abstr	414 402 A (* CILAG AG INTERNATIONAL) vember 2005 (2005-11-30) act; figures	1,10

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 15,16

Since claims 15 and 16 are referring to the figures of he present application they are unclear since no meaningful search could be executed.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

International application No. PCT/GB2006/001031

INTERNATIONAL SEARCH REPORT

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)
This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:
Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
2. X Claims Nos.: 15,16 because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).
because they are dependent claims and are not draited in accordance with the second and third sentences of hole 6.4(a).
Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)
This International Searching Authority found multiple inventions in this international application, as follows:
As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: —
Remark on Protest The additional search fees were accompanied by the applicant's protest.
No protest accompanied the payment of additional search fees.

Form PCT/ISA/210 (continuation of first sheet (2)) (January 2004)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No
PCT/GB2006/001031

Patent document cited in search report	Publication date		Patent family member(s)		Publication date
WO 02056947 A	25-07-2002	CN EP JP	1494444 1351730 2005504557	A 1	05-05-2004 15-10-2003 17-02-2005
US 5520653 A	28-05-1996	AT AT DE DE DE EP JP JP	225674 304377 69624251 69624251 69635194 0847287 11512016 3471812 9709077	T D1 T2 D1 A1 T B2	15-10-2002 15-09-2005 14-11-2002 18-06-2003 20-10-2005 17-06-1998 19-10-1999 02-12-2003 13-03-1997
EP 0482677 A	29-04-1992	AT	80045	T	15-09-1992
EP 1518575 A	30-03-2005	CN WO US	1665557 2004004809 2005209569	A1	07-09-2005 15-01-2004 22-09-2005
GB 2414402 A	30-11-2005	WO	2005115509	A1	08-12-2005

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY To: WRITTEN OPINION OF THE see form PCT/ISA/220 INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1) Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet) Applicant's or agent's file reference FOR FURTHER ACTION see form PCT/ISA/220 See paragraph 2 below International application No. International filing date (day/month/year) Priority date (day/month/year) PCT/GB2006/001031 21.03.2006 06.04.2005 International Patent Classification (IPC) or both national classification and IPC INV. A61M5/145 Applicant **CILAG AG INTERNATIONAL** This opinion contains indications relating to the following items: ☑ Box No. I Basis of the opinion ☐ Box No. II Priority ☑ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability ☐ Box No. IV Lack of unity of invention Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement ☑ Box No. VI Certain documents cited Box No. VII Certain defects in the international application Box No. VIII Certain observations on the international application 2. **FURTHER ACTION** If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1 bis(b) that written opinions of this International Searching Authority will not be so considered. If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later. For further options, see Form PCT/ISA/220. 3. For further details, see notes to Form PCT/ISA/220. Name and mailing address of the ISA: Date of completion of Authorized Officer

European Patent Office D-80298 Munich

Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465

this opinion

see form PCT/ISA/210

Ehrsam, F

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/GB2006/001031

	Box	c No	o. I Basis of the opinion		
1.	Witi	n re	gard to the language, this opinion has been established on the basis of:		
	\boxtimes	the	e international application in the language in which it was filed		
		a ti pui	ranslation of the international application into , which is the language of a translation furnished for the rposes of international search (Rules 12.3(a) and 23.1 (b)).		
2.			egard to any nucleotide and/or amino acid sequence disclosed in the international application and eary to the claimed invention, this opinion has been established on the basis of:		
	a. type of material:				
	[]	a sequence listing		
	[table(s) related to the sequence listing		
	b. fo	orm	at of material:		
	[on paper		
	[in electronic form		
	c. ti	me	of filing/furnishing:		
	I		contained in the international application as filed.		
	[filed together with the international application in electronic form.		
	[furnished subsequently to this Authority for the purposes of search.		
3.		ha	addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto is been filed or furnished, the required statements that the information in the subsequent or additional pies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.		
4.	Add	fitio	nal comments:		

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability				
The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of				
	the entire international application			
\boxtimes	claims Nos. 15,16			
bec	cause:			
	the said international application, or the said claims Nos. relate to the following subject matter which does not require an international search (specify):			
	the description, claims or drawings (indicate particular elements below) or said claims Nos. are so unclear that no meaningful opinion could be formed (specify):			
	the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed (specify):			
	no international search report has been established for the whole application or for said claims Nos. 15,16			
	a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:			
	☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.			
	☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.			
	□ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13 <i>ter</i> .1(a) or (b).			
	a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.			
	the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.			
	See Supplemental Box for further details			

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

6-8,14

No: Claims

1-5,10-13

Inventive step (IS)

Yes: Claims

6-8,14

No: Claims

Industrial applicability (IA)

Yes: Claims

s 1-3

No: Claims

2. Citations and explanations

see separate sheet

Box No. VI Certain documents cited

 Certain published documents (Rules 43bis.1 and 70.10) and /or

2. Non-written disclosures (Rules 43bis.1 and 70.9)

see form 210

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item III.

Since claims 15 and 16 are referring to the figures of the present application they are unclear since no meaningful search could be executed.

Re Item V.

- 1 Reference is made to the following documents:
 - D1: WO 02/056947 A (MEDRAD, INC; DEDIG, JAMES, ALBERT; LAZZARO, FRANK, A; COWAN, KEVIN, P;) 25 July 2002 (2002-07-25)
 - D2: US-A-5 520 653 (REILLY ET AL) 28 May 1996 (1996-05-28)
 - D3: EP-A-0 482 677 (MALLINCKRODT MEDICAL, INC; MALLINCKRODT, INC) 29 April 1992 (1992-04-29)
 - D4: EP-A-1 518 575 (MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD) 30 March 2005 (2005-03-30)
 - D5: GB-A-2 414 402 (CILAG AG INTERNATIONAL) 30 November 2005

2 INDEPENDENT CLAIM 1

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 and 10 is not new in the sense of Article 33(2) PCT. Document D1 discloses an injection device characterized in that the drive coupling comprises a fixed-length drive coupling and an interchangeable drive coupling, see in particular figure 7, reference 640 which element can be exchanged for an other element. The same objection applies to document D2 which shows several adapters of different length as presently claimed, see figures 1 and 3A.
- 3 DEPENDENT CLAIMS 2-5, 11-13
 - Dependent claims 2-5, 11-13 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT), see in particular the document D3 and D4, respective the figures and the abstract.

Re Item VI.

Document D5 has to be considered as an intermediate document

Re Item VII.

- 1. The description should have been brought into conformity with the new claims to be filed; care should be taken during revision, especially of the introductory portion including any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed (Art. 34 2) b)).
- 2. To meet the requirements of Rules 6 3 b) the independent claim should have been properly cast in a two part form, with those features which in combination are part of the nearest prior art being placed in the first part.
- 3. To meet the requirements of Rule 5.1 a vi, the cited documents should have been identified in the description and the relevant background art therein is to be indicated.
- 4. The features of the claims should have been provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

Re Item VIII.

1. Claims 1 and 10 are not clear since an essential feature is not claimed. Indeed, to be able to work properly the set of adapter is always composed in the present case of two elements, the fist element being the interchangeable drive coupling (134b) and the second element being the interchangeable release element (155). Both interchangeable elements have to be exchanged simultaneously to permit a correct working of the injection device. Therefore, the interchangeable release element (155) should also have been claimed in claims 1 and 10 since it is considered to be an essential feature (C-III 4.4 PCT).